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IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

THE SIDING AND INSULATION CO. : CASE NO. 1:11 CV 1060

Plaintiff,

-vs-

ALCO VENDING INC.

: ORDER ADOPTING REPORT AND

: RECOMMENDATION

Defendant.

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This matter was referred to Magistrate Judge Nancy A. Vecchiarelli (Doc. 54) for preparation of a report and recommendation ("R&R") on the defendant's motion for leave to cite a recent D.C. Circuit Court Order (Doc. 55). On 5 February 2014, Magistrate Judge Vecchiarelli issued an R&R (Doc. 58) advising the Court to denv defendant's motion for leave to cite additional authority as moot.

Pursuant to 28 U.S.C. §636(b)(1), this Court makes a de novo determination of those portions of the Report and Recommendation to which a timely objection is made. In this instance, no objections have been filed. Therefore, the Magistrate Judge's Report and Recommendation is adopted. The defendant's motion for leave to cite additional authority is denied as moot

IT IS SO ORDERED.

/s/Lesley Wells UNITED STATES DISTRICT JUDGE

Dated: <u>3 April 2014</u>